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CONFIDENTIAL SECURITY INFORMATION

Action

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Control: 1936
Rec'd: November 6, 1952
6:01 a.m.

FROM: Tokyo

TO: Secretary of State

NO: 1473, November 6, 7 p.m.

FCN treaty.

Dept A-447 Jan 5 and 505 Jan 25.

JG regards Art 9 major issue and urges US consider substitution paras 1 and 2 by following single para which JG believes indicative genuine reciprocity: "natls and companies of either party shall be accorded within the terms of the other party (A) natl treatment with respect to leasing land, buildings and other immovable prop appropriate to the conduct of activities in which they are permitted to engage pursuant to arts 7 and 8 and for residential purposes and with respect to occupying and using such prop, and (B) other rights in immovable prop permitted by the applicable law of the other party or any subdivisions, terms and possessions thereof."

Emb recommends Dept consider JG proposal as this point clearly major negot issue. JG also prefers use "movable" and "immovable" for personal and real props Art 9 since latter terms unknown Jap law. JG cites recent Col, Israel, Den treaties. Will appreciate comments. JG also requests deletion "carrying on particular types of activity" para 4 art 9 which considers unclear and substitution therefor "as set forth in art 7 para 2." Emb recommends acceptance.

Dept A-533 Feb 7. JG proposes transfer new sub para 2 art 10 to art 5 bis as para 2 since coop provision considered closer latter art than to patent matters. Emb recommends acceptance.

DU: KC

DEPARTMENT OF STATE A/CDG/MR

REVIEWED BY: *[Signature]* DATE: *9-30-82*

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TS AUTH. REASON(S)

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DEPARTMENT OF STATE

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